

TO: Commissioner of Patents and Trademarks Washington, DC 20231	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
---	---

In Compliance with 35 § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Central on the following Patents or Trademarks:

03	DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
	2567	April 11, 2003	Central District of California
PLAINTIFF		DEFENDANT	
MEDIMMUNE, INC.		GENENTECH, INC. CITY OF HOPE NATIONAL MEDICAL CENTER CELLTECH R&D LTD.	
PATENT OR TRADEMARK NO.		DATE OF PATENT OR TRADEMARK	
1 6,331,415 B1		12/18/01	
		Genentech, Inc. and City of Hope National Medical Center	
2			
3			
4			
5			

In the above-entitled case, the following patent(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK
1	
2	
3	
4	
5	

In the above-entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE PURSUANT TO F.R.CIV.P. 41(a)(1) FILED 6/4/08.		
---	--	--

CLERK	(BY) DEPUTY CLERK	DATE
SHERRI R. CARTER	GRACE KAMI <i>Grace</i>	JUL 14 2008

Copy 1-Upon initiation of action, mail this copy to Commissioner Copy 3-Upon termination of action, mail this copy to Commissioner
 Copy 2-Upon filing document adding patent(s), mail this copy to Commissioner Copy 4-Case file copy

Case 2:03-cv-02567-MRP-CT Document 373 Filed 06/04/2008 Page 1 of 3

1 KEKER & VAN NEST
John W. Keker (SBN 49092)
2 Email: jkeker@kvn.com
Daralyn J. Durie (SBN 169825)
3 Email: ddurie@kvn.com
4 710 Sansome Street
5 San Francisco, California 94111-1704
Telephone: (415) 391-5400
Facsimile: (415) 397-7188

JS-6

6 SIDLEY AUSTIN LLP
7 Edward G. Poplawski (SBN 113590)
8 Email: poplawski@sidley.com
9 Bryan K. Anderson (SBN 155830)
10 Email: bkanderson@sidley.com
11 555 West Fifth Street, Suite 4000
12 Los Angeles, California 90013-1010
13 Telephone: (213) 896-6000
14 Facsimile: (213) 896-6600

11 | Attorneys For Defendant GENENTECH, INC.

12 IRELL & MANELLA LLP
13 David I. Gindler (SBN 117824)
14 Email: dgindler@irell.com
15 Joseph M. Lipner (SBN 155735)
16 Email: jlipner@irell.com
17 Laura W. Brill (SBN 195889)
18 Email: lbrill@irell.com
19 1800 Avenue of the Stars, Suite 900
20 Los Angeles, California 90067-4276
21 Telephone: (310) 277-1010
22 Facsimile: (310) 203-7199

18 | Attorneys for Defendant CITY OF HOPE

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

MEDIMMUNE, INC.

Case No. CV03-2567 MRP (CTx)

**STIPULATION AND ORDER OF
DISMISSAL**

Plaintiff,

V.

GENENTECH, INC., et al.,

Defendants.

1 IT IS HEREBY STIPULATED, by and between Plaintiff MedImmune, Inc.
2 and Defendants Genentech, Inc. and City of Hope, through their respective counsel
3 of record, that pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, the
4 claims in this action are dismissed with prejudice as they relate to the product
5 identified in the First Amended Complaint as Synagis. To the extent that any claims
6 in the First Amended Complaint relate to any other product, they are dismissed
7 without prejudice. Each party shall bear its own legal expenses, including without
8 limitation, attorneys' fees and costs.
9

10 Dated: June 3, 2008

KEKER & VAN NEST

11 By: /s/ Daralyn J. Durie
12 Daralyn J. Durie, Esq.
13 710 Sansome Street
14 San Francisco, CA 94111-1704

15 Attorneys For Defendant
16 GENENTECH, INC.

17 Dated: June 3, 2008

IRELL & MANELLA LLP

18 By: /s/ David I. Gindler
19 David I. Gindler, Esq.
20 1800 Avenue of the Stars, Suite 900
21 Los Angeles, CA 90067-4276

22 Attorneys For Defendant
23 CITY OF HOPE

24 Dated: June 3, 2008

WILLIAMS & CONNOLLY LLP

25 By: /s/ Paul B. Gaffney
26 Paul B. Gaffney, Esq.
27 725 Twelfth Street, NW
28 Washington, DC 20005-5901

Attorneys For Plaintiff
MEDIMMUNE, INC.

1

ORDER

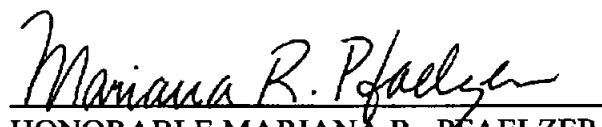
2 Based on the foregoing stipulation of the parties, it is hereby ORDERED as
3 follows:

4 1. Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, the
5 claims in this action are dismissed with prejudice as they relate to the product
6 identified in the First Amended Complaint as Synagis. To the extent that any claims
7 in the First Amended Complaint relate to any other product, they are dismissed
8 without prejudice.

9 2. Each party shall bear its own legal expenses, including without
10 limitation, attorneys' fees and costs.

11 **IT IS SO ORDERED.**

13 Dated: June 04, 2008


14 HONORABLE MARIANA R. PFAELZER
15 United States District Judge

28

4

1

- 3 -

8

5

Stipulation and [Proposed] Order of Dismissal with Prejudice
CASE NO. CV 03-2567 MRP (CTx)